

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONATHAN S. HELD, as Trustee of the
Beverly J. Held and Gilbert Held Living Trust,
dated February 19, 2013,

Plaintiff,

v.

HADASSAH, THE WOMEN'S ZIONIST
ORGANIZATION OF AMERICA, INC.,

Defendant.

Case No.

COMPLAINT FOR DECLARATORY
JUDGMENT

Plaintiff Jonathan S. Held, as Trustee of the Beverly J. Held and Gilbert Held Living Trust, dated February 19, 2013, alleges as his complaint against Defendant Hadassah, The Women's Zionist Organization of America, Inc. the following:

I. PARTIES

1. Plaintiff Jonathan S. Held is the successor Trustee of the Beverly J. Held and Gilbert Held Living Trust, dated February 19, 2013, and resides in Woodinville, Washington.
2. Defendant Hadassah, The Women's Zionist Organization of America, Inc. is a 501(c)(3) corporation with its principal place of business in New York, New York.

1 3. Hadassah Medical Center is an Israeli medical organization which operates
2 two hospitals in Jerusalem. Wikipedia defines Hadassah Women's Zionist Organization of
3 America as a patron of Hadassah Medical Center.

4 4. Professor Yoram G. Weiss is the current Director of Hadassah Medical Center
5 in Jerusalem, Israel.

6 7 **II. JURISDICTION AND VENUE**

8 5. This court has jurisdiction over the subject matter of this action pursuant to 28
9 U.S.C. §§ 1331, 1332 and 1367.

10 6. There is a case of actual controversy between the parties for which declaratory
11 relief is sought, pursuant to 28 U.S.C. §§ 2201 and 2202, regarding the parties' respective
12 rights and other legal relations pursuant to the Beverly J. Held and Gilbert Held Living Trust,
13 dated February 19, 2013.

14 7. This court has jurisdiction over Defendant pursuant to RCW 4.28.185 and
15 venue in this district is proper pursuant to 38 U.S.C. § 1391(b) & (c) and § 1400(a).

16 8. This court also has jurisdiction over this matter pursuant to 28 U.S.C. § 1332
17 as a case of actual controversy between the parties in which the matter in dispute exceeds the
18 sum or value of \$75,000, exclusive of interest and costs. The parties are citizens of different
19 states.
20

21 9. The parties' dispute is definite and concrete, touching the legal relations of the
22 parties having adverse legal interests that are real and substantial. The facts are sufficiently
23 concrete to allow for specific relief through a conclusive legal judgment that is not advisory in
24 nature, and such judgment would be useful to the parties.
25
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III. FACTS

10. Beverly and Gilbert Held established the Beverly J. Held and Gilbert Held Revocable Living Trust (the "Trust") on February 19, 2013.

11. Pursuant to Section VI of the Trust, Beverly and Gilbert made specific bequests of one million dollars (\$1,000,000) each to three charitable organizations including Hadassah Hospital in Jerusalem, Israel.

12. Beverly predeceased Gilbert in 2018.

13. Gilbert died on June 13, 2020. Pursuant to Section IX (B) of the Trust, Jonathan S. Held was appointed successor Trustee (the "Trustee") upon his father's death on June 13, 2020.

14. On September 17, 2020, the Trustee sent an email to donorservices@hadassah.org explaining that the Trust included a specific bequest to Hadassah Hospital Jerusalem, Israel.

15. On December 30, 2020, Lisa Smith, Director, Trust & Estates sent the Trustee a Memorandum of Understanding.

16. The same day the Trustee responded to Lisa Smith via email indicating there were problems with the Memorandum of Understanding. Ms. Smith failed to reply to the Trustee's December 30, 2020 email.

17. On January 31, 2021, the Trustee received an email from Laura Self, a legal assistant at Gaslowitz Frankel LLC informing him that Craig Frankel represents Hadassah, The Women's Zionist Organization of America, Inc.

1 18. The Trustee advised Mr. Frankel that the bequest in the Trust was made
2 specifically to Hadassah Hospital in Jerusalem, Israel, not Hadassah, The Women's Zionist
3 Organization of America, Inc.

4 19. Mr. Frankel claimed that he represents the hospital.

5 20. The Trustee also informed Mr. Frankel that the Trust held assets in a Morgan
6 Stanley account valued at approximately \$1,868,000 consisting primarily of fixed income
7 securities from which to distribute One Million Dollar (\$1,000,000) bequests to two charities.
8 The Trustee explained that both charities, including Hadassah Hospital in Jerusalem, would
9 receive a combination of cash and fixed income securities which, if held to maturity, would
10 net One Million Dollars (\$1,000,000).
11

12 21. The third charity, Yad Vashem, accepted and received its bequest from the
13 Trust in December 2020 in exactly the same combination of cash and fixed income securities.
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15 22. Mr. Frankel requested an accounting of distributions from the Trust made to
16 the other charities, and said that if the other charities were receiving bonds that do not mature
17 for a number of years, that Hadassah would accept the bequest as presented.

18 23. On July 1, 2021, a settlement agreement was sent to Hadassah and Wesleyan
19 College, the other charitable beneficiary.
20

21 24. On July 8, 2021, Wesleyan College confirmed that it would sign the proposed
22 settlement agreement. The Trustee received the signed settlement agreement from Wesleyan
23 College on July 13, 2021.

24 25. On July 13, 2021, Hadassah's attorney requested multiple tax returns and
25 supporting documents.
26

1 26. On July 14 and July 19, 2021, the Trustee sent to Hadassah's attorney all the
2 requested information to which he had access.

3 27. On August 11, 2021, the Trustee offered Mr. Frankel, on behalf of Hadassah,
4 The Women's Zionist Organization of America, three installments of \$333,333, to be paid
5 over three years. Hadassah insisted on receiving all three installments in one year and
6 rejected the offer.

7 28. Hadassah, The Women's Zionist Organization of America, Inc. refused to
8 earmark the funds received from the Trust for Hadassah Medical Center as specifically
9 provided in the Trust provision regarding the bequest and never made the Director of
10 Hadassah Medical Center aware of the bequest Mr. and Mrs. Held intends for it to receive

11 29. Hadassah, The Women's Zionist Organization of America, continues to
12 demand one million dollars (\$1,000,000) in cash despite the lack of cash in the Trust to fund
13 the bequest in this way.

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16 **IV. FIRST CLAIM**

17 **REQUEST FOR DECLARATORY RELIEF**

18 30. Plaintiff realleges and incorporates by reference the allegations in the
19 preceding paragraphs as if fully set forth herein.

20 31. Plaintiff seeks relief in the form of a declaratory judgment pursuant to the
21 Uniform Declaratory Judgment Act, RCW 7.24.010 *et seq.*

22 32. There is an actual common justifiable controversy between Jonathan S. Held,
23 as Trustee of the Beverly J. and Gilbert Held Revocable Trust, and Defendant Hadassah, The
24 Women's Zionist Organization of America, Inc.
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1 33. The Trustee seeks Declaratory Relief in the form of a judgment in favor of the
2 Trust declaring that (a) the rightful beneficiary of the bequest from the Trust is Hadassah
3 Medical Center in Jerusalem, Israel, not Hadassah, The Women's Zionist Organization of
4 America, Inc., and (b) the Trustee shall distribute a combination of cash and fixed income
5 securities, which, if held to maturity will net One Million Dollars (\$1,000,000) to Professor
6 Yoram G. Weiss, Director of Hadassah Medical Center on behalf of Hadassah Medical
7 Center, to effectuate the intent of the Trustors, Beverly J. and Gilbert Held.
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10 **V. SECOND CLAIM**

11 **REQUEST FOR AWARD OF ATTORNEY'S FEES**

12 34. Plaintiff realleges and incorporates by reference the allegations in the
13 preceding paragraphs as if fully set forth herein.

14 35. Plaintiff seeks an award of attorney's fees against the Defendant pursuant to
15 RCW 11.96A.150.

16 **VI. PRAYER FOR RELIEF**

17 WHEREFORE, Jonathan S. Held requests entry of a judgment and order in his favor
18 and against Defendant as follows:
19

20 36. For a judgment in favor of Jonathan S. Held, as Trustee of the Beverly J. and
21 Gilbert Held Revocable Living Trust and against Defendant on all causes of action.

22 37. For a declaration that Hadassah Medical Center in Jerusalem, Israel is the
23 intended beneficiary of the bequest from the Trust.
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1 38. For a declaration that the Trustee distribute a combination of cash and fixed
2 income securities to the Director of Hadassah Medical Center in satisfaction of the bequest in
3 the Trust.

4 39. For a declaration that the Beverly J. and Gilbert Held Revocable Living Trust
5 is awarded attorney's fees and costs pursuant to RCW 11.96A.150, and that Hadassah, The
6 Women's Zionist Organization of America, Inc. be ordered to personally pay the Trust's
7 attorney's fees and costs for necessitating this lawsuit.
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9 40. For an award of any such other and further relief as the Court may deem
10 equitable and proper.
11

12 DATED this 1st day of November, 2021.

13 KHBB LAW PLLC

14
15 By:  _____

16 Karen R. Bertram, WSBA #22051

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18 705 Second Avenue

19 Seattle, WA 98104-1711

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22 E-mail: kbertram@khbbllaw.com

23 Attorneys for Plaintiff Jonathan S. Held, as Trustee of
24 the Beverly J. Held and Gilbert Held Living Trust,
25 dated February 19, 2013
26

CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2021, I caused the foregoing Complaint for Declaratory Judgment to be:

☒ electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

☒ mailed by first class United States mail, postage prepaid, to the following:

Craig M. Frankel
Gaslowitz Frankel LLC
303 Peachtree Street NE, Suite 4500
Atlanta, GA 30308

☐ hand delivered to the following:

☐ e-mailed and mailed by first class United States mail, postage prepaid, to the following:

☐ faxed and mailed by first class United States mail, postage prepaid, to the following:



Karen R. Bertram, WSBA #22051

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*Attorneys for Plaintiff Jonathan S. Held, as Trustee of
the Beverly J. Held and Gilbert Held Living Trust,
dated February 19, 2013*